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Shinjiro Yamashita

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HARNESS, DICKEY & PIERCE, P.L.C.
P.O. BOX 828
BLOOMFIELD HILLS, MI 48303

EXAMINER

OLANIRAN, FATIMAT O

ART UNIT

PAPER NUMBER

2614

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/798,939	Applicant(s) YAMASHITA ET AL.	
	Examiner FATIMAT O. OLANIRAN	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 10/10/2008 have been fully considered but they are not persuasive.

Applicant argues on page 8 paragraph 2, "...Kentish is not utilizing authorization parameters because manipulation of the mixer settings is not restricted..."

Examiner respectfully disagrees; Kentish mixing settings are restricted by the user selections on the input panel.

In addition applicant argues the limitations present in applicant's specification. Examiner gives the claim language the broadest most reasonable interpretation and does not read limitations of the specifications into the claim language.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6 and 8-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Kentish et al (5778417).

Claim 1, Kentish discloses a sound control system comprising: a mixing unit (Fig. 1, col. 4 line 17-18) which applies a mixing process to a plurality of sound signals input from a

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plurality of input systems (col. 3 line 23-24), and outputs resultant signals to a plurality of output systems (col. 4 line 47-48); a storing device which stores plural sets of detailed setting information to indicate setting states of respective parameters associated with the mixing process (col. 4 line 29-30, RAM); and a simple control unit wherein the simple control unit includes a plurality of operating pieces (col. 4 line 19-23), and an instruction transmitting unit which transmits an input calling instruction to the mixing unit when a calling instruction of a certain detailed setting information is input via any operating piece out of the plurality of operating pieces (col. 4 line 24-33 instruction transmitting unit: “scanning processor”, mixing unit: “control processor and signal processor”), and wherein the mixing unit and the mixing process are controlled by the respective parameters (col. 4 line 28-45), wherein the mixing unit includes a receiving unit which receives the calling instruction of the certain detailed setting information from the simple control unit (col. 4 line 31-33 receiving unit: “control processor”), and a deciding unit (col. 4 line 48-50, “panel processor”), responsive to at least one authorization parameter that is a predetermined subset of the respective parameters and that is authorized to be set by the simple control unit (col. 5 line 39-51), for applying the at least one authorization parameter to restrict setting, on the mixing unit (col. 4 line 27-41), a plurality of parameters indicated in the certain detailed setting information and associated with the mixing process (col. 4 line 48-55).

Claim 2, Kentish discloses wherein the at least one authorization parameter is contained in the detailed setting information (col. 5 line 23-26 and col. 5 line 65-67).

Claim 3 Kentish discloses an information generating device which generates the detailed setting information in response to an input operation (col. 5 line 39-42, “scanning processor”), and stores a generated detailed information in the storing device (col. 5 line 48-51 RAM 30).

Claim 4, Kentish discloses a sound control system comprising: a mixing unit (Fig. 1, col. 4 line 17-18) which applies a mixing process to a plurality of sound signals input from a plurality of input systems (col. 3 line 23-24), and outputs resultant signals to a plurality of output systems (col. 4 line 47-48); a storing device which stores plural sets of detailed setting information to indicate setting states of respective parameters associated with the mixing process (col. 4 line 29-30, RAM); and a simple control unit; wherein the simple control unit includes a plurality of operating pieces (col. 4 line 10-21), an instruction transmitting unit which transmits an input calling instruction to the mixing unit when a calling instruction of a certain detailed setting information is input via any operating piece out of the plurality of operating pieces (col. 4 line 24-33 instruction transmitting unit; “scanning processor”, mixing unit “ “control processor and signal processor”), and an assigning unit (col. 4 line 48-50 “panel and scanning processor) which receives an authorization parameter information corresponding to the calling instruction from the mixing unit (col. 4 line 48-50), and assigning an parameter to the operating pieces based on the received authorization parameter information (col. 4 line

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52-55), and wherein the mixing unit and the mixing process are controlled by the respective parameters (col. 4 line 28-45), wherein the mixing unit includes

a receiving unit which receives the calling instruction from the simple control unit (col. 4 line 31-33 “control processor”) and a transmitting unit (col. 4 line 48-50, control processor), responsive to at least one authorization parameter that is a predetermined subset of the respective parameters (col. 9 line 40-44) and that is authorized to be set by the simple control unit, (col. 4 line 46-48) for a) applying the at least one authorization parameter to restrict a plurality of parameters indicated in the certain detailed setting information and associated with the mixing process (col. 4 line 34-45) , and b) transmitting the at least one authorization parameter to the simple control unit as the authorization parameter information (col. 4 line 42-55).

Claim 5, Kentish discloses wherein an operating piece assigning information to identify an operating piece to which the at least one authorization parameter is assigned is contained in the authorization parameter information (col. 4 line 48-55 and line 60-65).

Claim 6 Kentish discloses, wherein at least one authorization parameter is contained in the detailed setting information (col. 4 line 48-52, line 59-62).

Claim 8, Kentish discloses an information generating device which generates the detailed setting information in response to an input operation, and then storing a

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generated detailed information in the storing device (col. 4 line 27-30 information generating device: "scanning processor" storage device: RAM).

Claim 9, Kentish discloses wherein the deciding unit (col. 4 line 48-50, panel processor) acts on the at least one authorization parameter (col. 5 line 58-61 and line 65-67 info from scanning processor and front panel definition file) which restricts in advance the parameters that can be set by the simple control unit (parameters of the simple control unit are inherently restricted by the selection of the control, i.e. switches, faders, knobs).

Claim 10, Kentish discloses wherein the assigning unit (col. 4 line 48-50 panel and scanning processor) acts to generate the at least one authorization parameter (col. 5 line 58-61 and line 65-67 information from scanning processor and front panel definition file) which restricts in advance the parameters that can be set by the simple control unit (parameters of the simple control unit are inherently restricted by the selection of the control, i.e. switches, faders, knobs).

Claim 11, Kentish discloses wherein the plural sets of detailed settings information (col. 5 line 65-67) are plural sets of predetermined detailed settings information (col. 6 line 30-37).

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Claim 12, Kentish discloses wherein the plural sets of detailed settings information (col. 5 line 65-67) are plural sets of predetermined detailed settings information (col. 6 line 30-37).

Claim 13, Kentish discloses a sound control system comprising: a mixing unit which applies a mixing process to a plurality of sound signals input from a plurality of input systems (Fig. 1 and col. 3 line 23-24 and col. 4 line 17-18), and outputs resultant signals to a plurality of output systems (col. 4 line 47-48); a first control unit in communication with the mixing unit and having a plurality of control input points, wherein the first control unit a) allows a user to set values of, through the plurality of control input points during the mixing process (col. 4 line 19-23), a plurality of control parameters for controlling the mixing unit and b) allows a user to select a subset of the plurality of control parameters and stores the selected subset as authorization parameters (col. 4 line 42-65); a second control unit separate from the first control unit (col. 4 line 34-41), in communication with the mixing unit, and operating a function of the mixing process assigned by the mixing unit; wherein the mixing unit a) receives the authorization parameters from the first control unit and b) only assigns one or more control function, to the second control unit and in response to the authorization parameters, that operates to only allow a user to set a value of one or more of the authorization parameters (col. 4 line 42-55).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kentish et al. (5778417) in view of Iwamoto et al (6816833).

Claim 7 analyzed with respect to claim 4, Kentish does not disclose wherein, when a plurality of simple control units are equipped, the transmitting unit decides the at least one authorization parameter for respective simple control units in such a manner that the at least one authorization parameter is decided differently among respective simple control units.

Iwamoto disclose wherein, when a plurality of simple control units are equipped (col. 5 line 62-66), the transmitting unit (col. 5 line 66, "function controller") decides the at least one authorization parameter (col. 6 line 41-44) for respective simple control units in such a manner that the at least one authorization parameter is decided differently among respective simple control units (col. 5 line 62-66, Fig. 1 according to Fig. 1 each controller has different inputs and therefore different authorization parameters.)

Therefore it would be obvious to one of ordinary skill in the art at the time of the invention to the mixing console of Kentish with the plurality of sub-controls as taught by

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Iwamoto in order to have sub-controls that can command different aspects of the audio process.

6. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kentish et al (5778417).

Claim 14 Kentish discloses wherein the first control unit further comprises an input panel that implements the plurality of control input points (col. 4 lines 15-23). Kentish does not explicitly disclose a keyboard.

Examiner takes Official notice on the limitation keyboard. It would have been obvious to one of ordinary skill at the time of the invention that design choice would determine the style of input device.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FATIMAT O. OLANIRAN whose telephone number is (571)270-3437. The examiner can normally be reached on M-F 10:00-6 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

FO

/Vivian Chin/
Supervisory Patent Examiner, Art Unit 2614